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PATENT # 4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of  
Applicant(s): RAJARAM, Gowri  
Serial No.: 09/927,131  
Filed: August 10, 2001  
Attorney Docket No.: UTL 00104

) FOR: System and method for executing  
) wireless communications device  
) dynamic instruction sets

) Group Art Unit: 2122

) Examiner: unknown

**RECEIVED**

JUN 03 2004

**OFFICE OF PETITIONS**

**RENEWED PETITION UNDER 37 CFR 1.78 (a)(3)**

Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Attention:  
Petitions Attorney

Dear Sir:

This renewed petition is in response to Paper No. 5 from the USPTO Dismissal of Petition mailed April 30, 2004. Attached herewith is a supplemental preliminary amendment deleting the incorporation by reference statement as pointed out to Applicant in Paper No. 5, first paragraph, page 2. A surcharge under 37 CFR 1.17(t) for acceptance of an unintentionally delayed claim of benefit in the amount of \$1330.00 has already been submitted, and Paper No. 5 does not indicated that a further petition fee is required.

Applicant requests a claim for benefit to three applications all filed on the same date as follows: Application Serial No. **09/917,026** (the '026 application), filed on July 26, 2001; Application Serial No. **09/916,460** (the '460 application), filed on July 26, 2001; and Application Serial No. **09/916,900** (the '900 application), filed on July 26, 2001. Applicant request that the subject application be designated as a continuation in

part application of the '026, the '460, and the '900 applications. In addition, the subject application is related to a family of applications as indicated by the "related references" included in the accompanying preliminary amendment.

The entire delay between the date the claim was due under 37 CFR 1.78(a)(2) and the date this claim is filed was unintentional. The subject application repeats a substantial portion of the '026, the '460, and the '900 applications as evidence, for example, by the similarity of the Figures.

The subject application complies with the following formal requirements of 35 U.S.C.120 (see MPEP 201.08):

(A) The '026, the '460, and the '900 applications and the subject continuation in part application were filed with at least one common inventor, Gowri Rajaram.

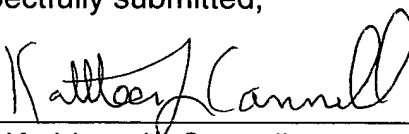
(B) The subject continuation in part application was filed before the patenting or abandonment of or termination of proceeding on the '026, the '460, and the '900 applications; and

(C) The subject continuation in part application contains or is amended to contain a specific reference to the earlier filed applications.

Please contact the undersigned attorney for Applicant should there be any questions or comments regarding this petition.

Respectfully submitted,

Dated: MAY 26, 2004

By:   
Kathleen L. Connell  
Attorney for Applicant  
Registration No. 45,344

KYOCERA WIRELESS CORP.  
10300 Campus Point Drive  
San Diego, California 92121

Telephone: (858) 882-2169  
Facsimile: (619) 882-3650

<u>CERTIFICATE OF MAILING</u>	
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/927,131	<b>RECEIVED</b>
	Filing Date	August 10, 2001	
	First Named Inventor	RAJARAM, Gowri S.	<b>JUN 03 2004</b>
	Art Unit	2122	
	Examiner Name	unknown	<b>OFFICE OF PETITIONS</b>
Attorney Docket Number	UTL 00104 US		
Total Number of Pages in This Submission	10		

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	KATHLEEN L. CONNELL
Signature	
Date	MAY 26, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	KATHLEEN L. CONNELL		
Signature		Date	MAY 26, 2004

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